

## **REMARKS**

### **I. General**

Claims 17, 18, and 20 are pending, and claims 1-16 and 19 are canceled without prejudice by this amendment. Claims 17, 18 and 20 are allowed. The issues in the current Office Action are as follows:

- Claims 1-21 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-17 of US 6,662,313.
- Claims 1-3, 12-16 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by US 5,867,644 (hereinafter *Ranson*).
- Claims 4-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ranson* in view of US 5,771,240 (hereinafter *Tobin*).

Applicant thanks the Examiner for the courtesy and professionalism shown thus far and appreciates the allowance of claims 17, 18 and 20. Applicant hereby traverses the rejections and requests reconsideration and withdrawal in light of the remarks contained herein.

### **II. Remarks**

#### **A. Double Patenting Rejection**

On pages 2-3, claims 1-21 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-17 of US 6,662,313. To overcome the double patenting rejection of record, Applicant submits a terminal disclaimer to obviate the rejections and respectfully requests that the claims be passed to issue.

#### **B. Rejections Under 35 U.S.C. §§ 102 and 103**

Claims 1-3, 12-16 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Ranson*. Further, claims 4-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

*Ranson* in view of Tobin. Applicant hereby cancels claims 1-16 and 19 without prejudice, thereby obviating the rejections.

**C. Allowed Claims**

Claims 17, 18, and 20, which the Examiner indicates are allowable, have been retained without amending.

**III. Conclusion**

In view of the above, applicant believes the pending application is in condition for allowance.

The Commissioner is hereby authorized to charge the \$130 fee for filing a Terminal Disclaimer, as well as any other fees due in connection with the submission of this paper, to our Deposit Account No. 08-2025, under Order No. 10002929-3 from which the undersigned is authorized to draw.

Respectfully submitted,

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: September 7, 2007

Signature: Donna Dobson

(Donna Dobson)